INDEX TO THE JOURNAL OF THE MISSOURI BAR 1995

SUBJECT INDEX 1995

ACCESS TO PUBLIC RECORDS
What Is a Police "Investigative Report"? Sandra D. Scott. 51:83

ACCOUNTING REPORTS
A Primer on Financial Statement Analysis. Ronald C. Thiewes. 51:209

ADMINISTRATIVE LAW
Sales and Use Tax Issues at the Administrative Hearing Commission: Part II. Daniel R.E. Jordan and Kevin Thompson. 51:217

ADMINISTRATIVE PROCEDURE
Sales and Use Tax Issues at the Administrative Hearing Commission: Part II. Daniel R.E. Jordan and Kevin Thompson. 51:217

ADULT ABUSE
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. Daniel J. Walkenhorst. 51:9

ALTERNATIVE DISPUTE RESOLUTION
The Early Assessment Program: A Unique Opportunity to Avoid Cost and Delay. Jerome T. Wolf and Kent Snapp. 51:111

ARBITRATIONS
Homeowners Arbitrating a Warranty. Gerard Mantese and Theresamarie Mantese. 51:279

ARREST RECORDS
What Is a Police Investigative Report"? Sandra D. Scott. 51:83

BANKRUPTCY
Bankruptcy Bazaar: Purchasing Assets Out of Bankruptcy Court. David A. Warfield. 51:283

BANKRUPTCY FREIGHT UNDERCHARGES
Motor Carrier Bankruptcies and Freight Undercharge Litigation. Douglas M. Weems. 51:137

BATTERED WOMEN SYNDROME
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. Daniel J. Walkenhorst. 51:9

BOUNDARIES
Mother Nature and Missouri's River Boundaries. Jo Ann Brown. 51:37

CHAPTER 610
What Is a Police "Investigative Report"? Sandra D. Scott. 51:83

CIVIL PROCEDURE
Mandatory or Permissive Appointment of a Statutory Trustee Under Chapter 460? Kevin L. Wibbenmeyer. 51:17

COBRA
Is EMTALA a Defanged Cobra? Patrick M. Davis and Timothy H. Bosler. 51:156

CONSTRUCTION
Deciphering the Americans with Disabilities Act. Wayne L. Anderson and Mary L. Roth. 51:142

CONSTRUCTION - PUBLIC WORKS
A Primer on Prevailing Wage Law in Missouri. Orval E. Jones. 51:346

CONTRACTS
Intentional Interference with Contractual Relations: Has Missouri Taken a Step Backward? James A. Burt. 51:272
Do Hospitals Medical Staff Bylaws Create a Contract? Timothy E. Gammon, John K. Hulston and Donald W. Jones. 51:352

CRIMINAL LAW
Meaningful Reform of Expungement Law or a Midsummer Night's Dream? David L. Naumann. 51:31
Eleven Years Under the Wall. David L. Naumann. 51:97

DAMAGES
Hedonic Damages. Maurice B. Graham and Michael D. Murphy. 51:265

DEEDS OF TRUST
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. Vito C. Barbieri and Roger J. Barbieri. 51:225

DISCRIMINATION
Deciphering the Americans With Disabilities Act. Wayne L. Anderson and Mary L. Roth. 51:142

DOMESTIC VIOLENCE
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. Daniel J. Walkenhorst. 51:9

ELDERLY LAW
Nursing Homes and the Care of the Elderly. Gerard Mantese andTheresamarie Mantese. 51:155

EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT
Is EMTALA a Defanged Cobra? Patrick M. Davis and Timothy H. Bosler. 51:165

EMPLOYEE BENEFITS
Medical Child Support: New Dawn, New Danger: Part I. Edward C. Fensholt and David L. Wells. 51:41
Medical Child Support: New Dawn, New Danger: Part II. Edward C. Fensholt and David L. Wells. 51:89
QDROs and Public Pensions in Missouri. Keith S. Bozarth. 51:149

EMPLOYMENT
Deciphering the Americans with Disabilities Act. Wayne L. Anderson and Mary L. Roth. 51:142

EMTALA
Is EMTALA a Defanged Cobra? Patrick M. Davis and Timothy H. Bosler. 51:165

ENVIRONMENTAL LAW
Landfill Law Aims at Local Input. Robert C. Cook. 51:336

ESTATE PLANNING
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

ESTATE TAX, FEDERAL
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

FAMILY LAW
Medical Child Support: New Dawn, New Danger: Part I. Edward C. Fensholt and David L. Wells. 51:41
Medical Child Support: New Dawn, New Danger: Part II. Edward C. Fensholt and David L. Wells. 51:89
QDROs and Public Pensions in Missouri. Keith S. Bozarth. 51:149

FEDERAL COURTS
The Early Assessment Program: A Unique Opportunity to Avoid Cost and Delay. Jerome T. Wolf and Kent Snapp. 51:111

FEDERAL LEGISLATION
Deciphering the Americans With Disabilities Act. Wayne L. Anderson and Mary L. Roth. 51:142

FINANCIAL STATEMENTS
A Primer on Financial Statement Analysis. Ronald C. Thiewes. 51:209

FORECLOSURES
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. Vito C. Barbieri and Roger J. Barbieri. 51:225

GENERAL POWERS OF APPOINTMENT
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

HEALTH AND HOSPITAL LAW
Do Hospital Medical Staff Bylaws Create a Contract? Timothy E. Gammon, John K. Hulston and Donald W. Jones. 51:352

HEDONIC DAMAGES
Hedonic Damages. Maurice B. Graham and Michael D. Murphy. 51:265

HOMEOWNERS WARRANTY
Homeowners Arbitrating a Warranty. Gerard Mantese and Theresamarie Mantese. 51:279

INCINERATORS
Landfill Law Aims at Local Input. Robert C. Cook. 51:

INCOME TAX, FEDERAL
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

INSURANCE
Medical Child Support: New Dawn, New Danger: Part I. Edward C. Fensholt and David L. Wells. 51:41
Medical Child Support: New Dawn, New Danger: Part II. Edward C. Fensholt and David L. Wells. 51:89

INTERFERENCE
Intentional Interference with Contractual Relations: Has Missouri Taken a Step Backward? James A. Burt. 51:272

LABOR - PREVAILING WAGES
A Primer on Prevailing Wage Law in Missouri. Orval E. Jones. 51:346

LANDFILLS
Landfill Law Aims at Local Input. Robert C. Cook. 51:336

LEGAL ETHICS - PROFESSIONAL RESPONSIBILITY
Legal Ethics Research for Missouri Lawyers. Nathan A. Rosen. 51:233

MEDICAL MALPRACTICE
Is EMTALA a Defanged Cobra? Patrick M. Davis and Timothy H. Bosler. 51:165

MISSOURI SUPREME COURT RULE 4
Legal Ethics Research for Missouri Lawyers. Nathan A. Rosen. 51:233

MODEL CODE OF PROFESSIONAL RESPONSIBILITY
Legal Ethics Research for Missouri Lawyers. Nathan A. Rosen. 51:233

MODEL RULES OF PROFESSIONAL CONDUCT
Legal Ethics Research for Missouri Lawyers. Nathan A. Rosen. 51:233

NEGLIGENCE
Nursing Homes and the Care of the Elderly. Gerard Mantese and Theresamarie Mantese. 51:155

NEGOTIATED RATES ACT
Motor Carrier Bankruptcies and Freight Undercharge Litigation. Douglas M. Weems. 51:137

NURSING HOMES
Nursing Homes and the Care of the Elderly. Gerard Mantese and Theresamarie Mantese. 51:155

OBVIOUS DANGER RULE
Products Liability: The Open and Obvious Danger Rule. Todd M. Thornhill. 51:203

ORDER OF PROTECTION
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. Daniel J. Walkenhorst. 51:9

PATIENT DUMPING
Is EMTALA a Defanged Cobra? Patrick M. Davis and Timothy H. Bosler. 51:165

POLICE RECORDS
What Is a Police "Investigative Report"? Sandra D. Scott. 51:83

PRISONERS
Mandatory or Permissive Appointment of a Statutory Trustee Under Chapter 460? Kevin L. Wibbenmeyer. 51:17

PROBABLE CAUSE
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. Dee Wampler and Joseph Passanise. 51:288

PRODUCTS LIABILITY
Products Liability: The Open and Obvious Danger Rule. Todd M.Thornhill. 51:203

PROFILES
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. Dee Wampler and Joseph Passanise. 51:288

PROMISSORY NOTES
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. Vito C. Barbieri and Roger J. Barbieri. 51:225

PUBLIC BODIES - PREVAILING WAGE LAW
A Primer on Prevailing Wage Law in Missouri. Orval E. Jones. 51:346

PUBLIC WORKS - PREVAILING WAGE LAW
A Primer on Prevailing Wage Law in Missouri. Orval E. Jones. 51:346

RATIO ANALYSIS
A Primer on Financial Statement Analysis. Ronald C. Thiewes. 51:209

REAL ESTATE
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. Richard A. King. 51:332

REAL ESTATE TAXES
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. Richard A. King. 51:332

REAL PROPERTY
Mother Nature and Missouri's River Boundaries. Jo Ann Brown. 51:37
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. Vito C. Barbieri and Roger J. Barbieri. 51:225

REMEDIES
Do Hospital Medical Staff Bylaws Create a Contract? Timothy E. Gammon, John K. Hulston and Donald W. Jones. 51:352

RETIREMENT
QDROs and Public Pensions in Missouri. Keith S. Bozarth. 51:149

REVOCABLE TRUSTS
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

RIPARIAN LAW
Mother Nature and Missouri's River Boundaries. Jo Ann Brown. 51:37

SALES TAXES
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. Richard A. King. 51:332

SEARCH AND SEIZURE
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. Dee Wampler and Joseph Passanise. 51:288

SEARCH OF AUTOS
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. Dee Wampler and Joseph Passanise. 51:288

SOLID WASTE REGULATION
Landfill Law Aims at Local Input. Robert C. Cook. 51:336

STALKING
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. Daniel J. Walkenhorst. 51:9

SUNSHINE LAW
What Is a Police "Investigative Report?" Sandra D. Scott. 51:83

TAX INCREMENT FINANCING
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. Richard A. King. 51:332

TAXATION
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. Richard A. King. 51:332

TAXATION, SALES AND USE
Sales and Use Tax Issues at the Administrative Hearing Commission: Part II. Daniel R.E. Jordan and Kevin Thompson. 51:217

TORTS
Products Liability: The Open and Obvious Danger Rule. Todd M. Thornhill. 51:203
Intentional Interference with Contractual Relations: Has Missouri Taken a Step Backward? James A. Burt. 51:272

TRAFFIC LAW
Eleven Years Under the Wall. David L. Naumann. 51:97

TRANSPORTATION--FREIGHT UNDERCHARGES
Motor Carrier Bankruptcies and Freight Undercharge Litigation. Douglas M. Weems. 51:137

TRUSTS
Tax Basis Revocable Trusts. Paul M. Fletcher. 51:23

USE OF PROFILES
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. Dee Wampler and Joseph Passanise. 51:288

WASTE TIRES
Landfill Law Aims at Local Input. Robert C. Cook. 51:336

WORKERS' COMPENSATION
Workers' Compensation Law in Missouri After Senate Bill 251. Craig M. Billmeyer. 51:77

AUTHOR INDEX 1995

ANDERSON, Wayne L.
Deciphering the Americans with Disabilities Act. 51:142

BARBIERI, Roger J.
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. 51:225

BARBIERI, Vito C.
Tender — Defeating the Power of Sale by Foreclosure in a Deed of Trust. 51:225

BILLMEYER, Craig M.
Workers' Compensation Law in Missouri After Senate Bill 251. 51:77

BOSLER, Timothy H.
Is EMTALA a Defanged Cobra? 51:165

BOZARTH, Keith S.
QDROs and Public Pensions in Missouri. 51:149

BROWN, Jo Ann
Mother Nature and Missouri's River Boundaries. 51:37

BURT, James A.
Intentional Interference with Contractual Relations: Has Missouri Taken a Giant Step Backward? 51:272

COOK, Robert C.
Landfill Law Aims at Local Input. 51:336

DAVIS, Patrick M.
Is EMTALA a Defanged Cobra? 51:165

FENSHOLT, Edward C.
Medical Child Support: New Dawn, New Danger: Part I. 51:41
Medical Child Support: New Dawn, New Danger: Part II. 51:89

FLETCHER, Paul M.
Tax Basis Revocable Trusts. 51:23

GAMMON, Timothy E.
Do Hospital Medical Staff Bylaws Create a Contract? 51:352

GRAHAM, Maurice B.
Hedonic Damages. 51:265

HULSTON, John K.
Do Hospital Medical Staff Bylaws Create a Contract? 51:352

JONES, Donald W.
Do Hospital Medical Staff Bylaws Create a Contract? 51:352

JONES, Orval E.
A Primer on Prevailing Wage Law in Missouri. 51:

JORDAN, Daniel R.E.
Sales and Use Tax Issues at the Administrative Hearing Commission: Part II. 51:217

KING, Richard A.
The Continuing Battle to Curb Urban Blight and the Use of Economic Activity Taxes. 51:

MANTESE, Gerard
Nursing Homes and the Care of the Elderly. 51:155
Homeowners Arbitrating a Warranty. 51:279

MANTESE, Theresamarie
Nursing Homes and the Care of the Elderly. 51:155
Homeowners Arbitrating a Warranty. 51:279

MURPHY, Michael D.
Hedonic Damages. 51:265

NAUMANN, David L.
Meaningful Reform of Expungement Law or a Midsummer Night's Dream? 51:31
Eleven Years Under the Wall. 51:97

PASSANISE, Joseph
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. 51:288

ROSEN, Nathan A.
Legal Ethics Research for Missouri Lawyers. 51:233

ROTH, Mary L.
Deciphering the Americans with Disabilities Act. 51:142

SCOTT, SANDRA D.
What Is a Police "Investigative Report"? 51:83

SNAPP, Kent
The Early Assessment Program: A Unique Opportunity to Avoid Cost and Delay. 51:111

THIEWES, Ronald C.
A Primer on Financial Statement Analysis. 51:209

THOMPSON, Kevin
Sales and Use Tax Issues at the Administrative Hearing Commission. 51:217

THORNHILL, Todd M.
Products Liability: The Open and Obvious Danger Rule. 51:203

WALKENHORST, Daniel J.
Domestic Abuse: Curbing a Widespread Epidemic in Missouri. 51:9

WAMPLER, Dee
The Increasing Use of Profiles and Prescribed Tactics in Drug Prosecutions. 51:288

WARFIELD, David A.
Bankruptcy Bazaar: Purchasing Assets Out of Bankruptcy Court. 51:283

WEEMS, Douglas M.
Motor Carrier Bankruptcies and Freight Undercharge Litigation. 51:137

WELLS, David L.
Medical Child Support: New Dawn, New Danger: Part I. 51:41
Medical Child Support: New Dawn, New Danger: Part II. 51:89

WIBBENMEYER, Kevin L.
Mandatory or Permissive Appointment of a Statutory Trustee Under Chapter 460? 51:17

WOLF, Jerome T.
The Early Assessment Program: A Unique Opportunity to Avoid Cost and Delay. 51:111

CASE INDEX 1995

ADC Constr. Co. v. McDaniel Grading, Inc., 338 S.E.2d 733 (Ga.App. 1985). 51:280
ADKISSON v. Lohman, No. 65022 (Mo.App. E.D. Aug. 9, 1994). 51:97
ANDERSON v. Little League Baseball, Inc., 794 F.Supp. 342 (D.Ariz. 1992). 51:146
BABER v. Hosp. Corp. of Am., 977 F.2d 872 (4th Cir. 1992). 51:166
BREMENKAMP v. Beverly Enterprises-Kansas, Inc., 762 F.Supp. 884 (D. Kan. 1991). 51:158
BROOKFIELD R-III Sch. Dist. v. Tognascioli Gross Jarvis Kautz Architects, Inc., 845 S.W.2d 103 (Mo.App.W.D. 1993). 51:280
BUCKLER v. Johnson County Sheriff's Dep't, 798 S.W.2d 155 (Mo.App. 1989). 51:31
BURDITT v. U.S. Dep't of Health & Human Servs., 934 F.2d 1362 (5th Cir. 1991). 51:167
C & A Carbone, Inc. v. Town of Clarkstown, N.Y., ___ U.S. ___ (1994). 51:336
CITY of Chicago v. Environmental Defense Fund, ___ U.S. ___ (1994). 51:340
CITY of Kansas City ex rel. Jennings v. Integon Indem. Corp., 857 S.W.2d 233 (Mo.App.W.D. 1993). 51:347
CLELAND v. Bronson Health Care Group, Inc., 917 F.2d 266 (6th Cir. 1990). 51:167
COLLINS v. DePaul Hosp., 963 F.2d 303 (10th Cir. 1992). 51:166
COMMUNITY Title Co. v. Roosevelt Federal Savs. & Loan Ass'n, 796 S.W.2d 369 (Mo. banc 1990). 51:272
COWE v. Forum Group, Inc., 575 N.E.2d 630 (Ind. 1991). 51:159
DEERINGS W. Nursing Ctr. v. Scott, 787 S.W.2d 494 (Tex.App. 1990). 51:162
DOWNEY v. United Weatherproofing, Inc., 253 S.W.2d 976 (Mo. 1953). 51:273
DRABIK v. Stanley-Bostitch, Inc., 997 F.2d 496 (8th Cir. 1993). 51:205
ELDER v. Delcour, 269 S.W.2d 17 (Mo.banc 1954). 51:39
ESSEX Contracting, Inc. v. City of DeSoto, 775 S.W.2d 208 (Mo.App.E.D. 1989). 51:347
GATEWOOD v. Washington Healthcare Corp., 933 F.2d 1037 (D.C. Cir. 1991). 51:166
GLENCOE Sand & Gravel Co. v. Hudson Bros. Comm'n Co., 40 S.W. 93 (Mo. 1897). 51:273
HEFELE v. Catanzaro, 727 S.W.2d 475 (Mo.App.E.D. 1987). 51:280
HYDE v. City of Columbia, 637 S.W.2d, 251 (Mo.App.W.D. 1982), *cert. denied*, 459 U.S. 1226 (1983). 51:84
IN RE Beker Indus. Corp., 63 Bankr. 474 (Bankr.S.D.N.Y. 1986). 51:284
IN RE Stroud Wholesale, Inc., 47 Bankr. 999 (E.D.N.C. 1985). 51:284
JACKSON v. Pleasant Grove Health Care Ctr., 980 F.2d 692 (11th Cir. 1993). 51:161
KERLIN v. State, 573 N.E.2d 445 (Ind.App. 1991). 51:159
KINNEY v. Yerusalim, 812 F.Supp. 547 (E.D.Pa. 1993). 51:147
LEE v. Grandcor Medical Sys., Inc., 702 F.Supp. 252 (D.D.C. 1988). 51:279
LEONE v. Bear, 241 S.W.2d 1008 (Mo. 1951). 51:225
LEUTZINGER v. Treasurer of Missouri, No. 65949 (Mo.App.E.D. Jan. 31, 1995) (currently subject to a motion for rehearing). 51:80
LINEGAR v. Armour of Am., Inc., 909 F.2d 1150 (8th Cir. 1990). 51:205
MAISLIN Indus., U.S., Inc. v. Primary Steel, Inc., 497 U.S. 116, 110 S.Ct. 2759 (1990). 51:138
MISSOURI Hosp. Ass'n v. Air Conservation Comm'n, 874 S.W.2d 380 (Mo.App.W.D. 1994). 51:340
MONTGOMERY Health Care Facility, Inc. v. Ballard, 565 So.2d 221 (Ala. 1990). 51:159
NATIONAL Home Ins. Co. v. Shangri-La Dev. Co., 857 S.W.2d 460 (Mo.App.E.D. 1993). 51:280
NESSELRODE v. Executive Beechcraft, Inc., 707 S.W.2d 371 (Mo.banc 1986). 51:203
OREGON Waste Sys., Inc. v. Department of Envtl. Quality, ___ U.S. ___ (1994). 51:336
PETERSEN v. Univ. of Wis. Bd. of Regents, 818 F.Supp. 1276 (W.D.Wis. 1993). 51:146
REITER v. Cooper, 113 S.Ct. 1213 (1993). 51:138
STATE v. Cunningham, 493 N.W.2d 884 (Iowa App. 1992). 51:159
STATE ex inf. Webster v. City of Camdenton, 779 S.W.2d 312 (Mo.App.S.D. 1989). 51:346
STATE ex rel. Ashcroft v. City of Sedalia, 629 S.W.2d 578 (Mo.App.W.D. 1981). 51:346
STATE v. ex rel. DeGraffenreid v. Keet, 619 S.W.2d 873 (Mo.App. 1981). 51:31
TAX Increment Fin. Comm'n of Kansas City v. J.E. Dunn Constr. Co., 781 S.W.2d 70 (Mo. banc 1989). 51:333
THIELECKE v. Davis, 260 S.W.2d 510 (Mo. 1953). 51:225
TURPIN v. Watts, 607 S.W.2d 895 (Mo.App.S.D. 1980). 51:39
UNITED STATES v. Bloomfield, 24 F.3d 1043 (8th Cir. 1994). 51:290
UNITED STATES v. Garcia, 23 F.3d 1331 (8th Cir. 1994). 51:290
UNITED STATES v. Green, 52 F.3d 194 (8th Cir. 1995). 51:288
UNITED STATES v. Sokolow, 490 U.S. 1 (1989). 51:288
UNITED STATES v. White, 890 F.2d 1413 (8th Cir. 1989). 51:288
VILLAGE of Cairo v. Bodine Contracting Co., 685 S.W.2d 253 (Mo.App.W.D. 1985). 51:279
WILSON v. Dep't of Revenue, 873 S.W.2d 328 (Mo.App.E.D. 1994). 51:97
WOERMANN Constr. Co. v. Southwestern Bell Tel. Co., 846 S.W.2d 790 (Mo.App.E.D. 1993). 51:280